

TOWN OF CARY
Planning Department

JAN 03 2017

Submit to the Planning Department, P.O. Box 8005, Cary, NC 27512

Development Services For office use only:

Payment Method: CASH ☐ CHECK ☒ CREDIT CARD ☐ Amount: \$ 3900.00 P&Z HTE# 17-0695

#10041

17-RE2-03

APPLICATION FOR: (check all that apply)

☒ **LAND USE PLAN AMENDMENT** (Complete Parts 1, 2 and 4)

PAID

☒ **REZONING** (Complete Parts 1, 2 and 3)

JAN 03 2017

Associated Annexation Petition ☒ Yes ☐ No

DEVELOPMENT SERVICES

Traffic Impact Study Required ☐ Yes ☒ No

TAR Number: _____ Staff confirmation: Initials DP Date 1/5/17

Separate Annexation: 17-696

This application is deemed sufficiently complete for purposes of submittal.

~~Pending Direct Lateral Easement Signature~~

Planning Staff Signature Debra Shannon Date 1/5/2017

Submittal deadlines incorporate sufficiency review of rezoning/land use plan amendment applications. Signature by Planning Staff is required prior to payment of fees and final acceptance of application.

STAFF USE ONLY: Circle applicable Parts: 1 2 3A B1 3B2 3B3 3C1 3C2 3C3 3C4 3D 3E1a 3E1b 3E2 3F 4A 4B

Check all that apply: Fees will not be accepted until the application is deemed sufficiently complete and signed by Planning Staff.

REZONING FEE:

- ☐ \$1,400.00 – General rezoning, or initial zoning associated with owner-initiated annexation petition, 5 acres or greater
- ☐ \$300.00 – Initial zoning associated with citizen-initiated annexation petition, less than 5 acres
- ☒ \$1,900.00 – Conditional use rezoning (per change of zoning classification requested)
- ☐ \$2,500.00 – Mixed Use District Rezoning (New MXD, or major amendment to existing PDP)
- ☐ \$500.00 – Mixed Use District Rezoning (Minor amendment to existing PDP - typically less than 50% of floor area, number of units, etc.)
- ☐ \$2,500.00 – New application or major amendments to approved Major PDD
- ☐ \$1,250.00 – Minor PDD

NOTE: An additional fee of \$150 will be charged for each additional public hearing or neighborhood meeting required due to changes in the request made during the rezoning process.

LAND USE PLAN AMENDMENT FEE:

- ☒ \$2,000.00 – Land Use Plan Amendment, or land use element of an area plan

Project Name		<u>Terramor</u>
Name of PDD (if applicable)		NONE <u>N/A</u>
Location	Address	0, 4112, 4124, & 4136 Green Level West Rd; 0 White Oak Church Rd; and 4132, 4128, 4129, and 4133 Maple Springs Dr
	General Location	Northwest quadrant of intersection of White Oak Church Rd and Green Level West Rd
	Jurisdiction (check one)	<input type="checkbox"/> Cary Corporate Limits <input type="checkbox"/> Cary ETJ <input checked="" type="checkbox"/> Wake Co.* <input type="checkbox"/> Chatham Co.*

* Submittal of an annexation petition is required if rezoning is requested

Part 1: Applicant Information

Applicant	Applicant's Contact
Name <u>Pablo Reiter</u>	Name <u>Jason Barron</u>
Firm <u>Terramor Homes, Inc.</u>	Firm <u>Morningstar Law Group</u>
Address <u>7208 Falls of Neuse Rd, Suite 201</u>	Address <u>630 Davis Dr Ste 200</u>
City, State, Zip <u>Raleigh, NC 27615</u>	City, State, Zip <u>Morrisville, NC 27560</u>
Phone (area code) <u>919-792-3746</u>	Phone (area code) <u>919-590-0371</u>
Email <u>pablo@terramorhomes.com</u>	Email <u>jbarron@morningstarlawgroup.com</u>

Part 2: Parcel & Owner Information

Property Owner(s) <i>Provide property owner name and address as it appears in the Wake or Chatham County Tax Records,</i>	County Parcel Number(s) (10 digit)	Real Estate ID(s)	Calculated Acres ¹
Thomas Gerald Cloer Sr. & Joyce Lowery Cloer 7617 Secluded Acres Rd Apex, NC 27523	0723-37-4182 ✓ 4112 Green Level West Rd.	0041991 ✓	2 ✓
Joel & Roxan Daughtridge 1713 White Oak Church Rd Apex, NC 27523	0723-37-0751 ✓ 4129 Maple Springs	0147862 ✓	1.36 ✓
Claudia Smith & Hoil Joseph Horton 4132 Maple Springs Dr Apex, NC 27523	0723-28-7150 ✓	0160420 ✓	3.00 ✓
Bertha C Hatley Heirs 55 Sallie Dr Smithfield, NC 27577	0723-26-7873 ✓ Nina M Hatley 0 Green Level West Rd	0029389 ✓	2.59 ✓
Edward Hatley 4136 Green Level West Rd Apex, NC 27523	0723-26-9900 ✓	0029382 ✓	.75 ✓
Barry R & Kimberly Knapp 4124 Green Level West Rd Apex, NC 27523	0723-37-0201 ✓ 4124 Green Level West Rd 0723-37-5430 ✓ 0 White Oak Church Rd	0094872 ✓ 0412430 ✓	10.95 ✓ 4.41 ✓
Narendra Reddy Meka 1708 Corwith Dr Morrisville, NC 27560	0723-37-7141 ✓ 0 White Oak Church Rd	0049144 ✓	1.35 ✓
Johnny Michael & Carol Ann Sanders 4128 Maple Springs Dr Apex, NC 27523	0723-37-0979 ✓	0143496 ✓	3.25 ✓
Wilton A Williams Jr 4133 Maple Springs Dr Apex, NC 27523	0723-37-7765 2	0124160 ✓	2.56 ✓
Total Acres			32.22 ✓

¹ A property survey showing zoning district boundaries and acreages is required if multiple zoning districts are proposed or if the proposed rezoning applies to only a portion of a parcel.

Part 3A: Rezoning RequestPre-Application Meeting: ☒ yes Date: 8/17/16 ☐ no

Existing Zoning	Base Zoning District(s)	R-40W
	Zoning Overlay District(s) <i>Check any that apply</i>	<input type="checkbox"/> Mixed Use Overlay District (Name: _____) <input type="checkbox"/> Conservation Residential Overlay District <input type="checkbox"/> Thoroughfare Overlay District <input type="checkbox"/> Airport Overlay District <input type="checkbox"/> Watershed Protection Overlay District <input type="checkbox"/> Jordan Lake <input type="checkbox"/> Jordan Lake Critical Area <input type="checkbox"/> Swift Creek <input type="checkbox"/> Historic Preservation Overlay District
	Zoning Conditions (if any)	NONE
Proposed Zoning	Proposed Base Zoning District(s)	R-12-CU <u>Watershed Overlay District</u>
	Proposed Zoning Conditions	<input type="checkbox"/> No zoning conditions are proposed <input checked="" type="checkbox"/> Zoning conditions are proposed and included in attached affidavit <u>(Jordan Lake Watershed District)</u>
	Proposed Changes to Overlay Districts	NONE
	Summary of Proposed Development or Purpose of Request	To allow the development of a residential community with a density of no more than 2.5 dwelling units per acre.
Applicable Area Plan (if any)		<input type="checkbox"/> Town Center Area Plan <input type="checkbox"/> Southeast Area Plan <input checked="" type="checkbox"/> Southwest Area Plan <input type="checkbox"/> Northwest Area Plan <input type="checkbox"/> Chatham/Cary Joint Land Use Plan <input type="checkbox"/> Carpenter Community Plan <input type="checkbox"/> Alston Activity Center Concept Plan <input type="checkbox"/> Other <input type="checkbox"/> None applicable to site
Land Use Plan		Existing Plan Designation: VLCR Associated Land Use Plan Amendment Submitted <input checked="" type="checkbox"/> yes <input type="checkbox"/> no

Part 3B: Applicant's Rezoning Justification Statement(s)

Rezoning Justification Statement #1 *Required for all rezoning requests*

Describe how the proposed rezoning meets the criteria listed below.

Section 3.4.1(E) of the Land Development Ordinance states that Council should consider the following criteria when reviewing all proposed rezonings:

- (1) The proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;

Applicant's Comments: The subject property is not currently within the Town's ETJ. An annexation petition has been submitted in conjunction with this request. The proposed rezoning will assign the initial Town Zoning for this property.

- (2) The proposed rezoning is consistent with the Comprehensive Plan and the purposes set forth in Section 1.3 of this Ordinance;

Applicant's Comments: A Land Use Plan Amendment has been submitted in conjunction with the proposed rezoning. Though not currently in the ETJ, the Town has assigned a land use designation of VLCR to the subject property. A more appropriate designation for this area would allow for the development of a traditional subdivision with no more than 3 dwelling units to the acre, similar to the Enclave at White Oak Creek subdivision in Apex, on the other side of Green Level West Road. If the Land Use Plan Amendment is approved, the proposed rezoning will be consistent with the Comprehensive Plan.

- (3) The Town and other service providers will be able to provide sufficient public safety, educational, recreational, transportation, and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

Applicant's Comments: The proposed rezoning will not affect the Town's or other service providers' ability to provide sufficient public safety, educational, recreational, transportation, or utility facilities to the subject property. Moreover, these providers will be able to maintain sufficient levels of service to existing development.

- (4) The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;

Applicant's Comments: There is an existing stream that runs generally through the southwest corner of the subject property. The proposed rezoning likely will better protect this natural feature because appropriate buffering will be required. Additionally, new development at this site consistent with the proposed rezoning will convert this area to municipal water and sewer, rather than well and septic, thereby resulting in less chance for groundwater contamination.

- (5) The proposed rezoning will not have significant adverse impacts on other property in the vicinity of the subject tract; and

Applicant's Comments: The proposed rezoning will not have a significant adverse impact on other property in the vicinity of the subject property. Generally, the area is zoned for residential uses, so the proposed rezoning will be compatible with existing uses and zoning classifications. Moreover, the site is located with convenient access to a portion of the American Tobacco Trail lending to the appropriateness of developing this area for a residential community.

- (6) The proposed zoning classification is suitable for the subject property.

Applicant's Comments: The subject property is of a suitable shape, size, and location for a residential community consistent with the proposed rezoning.

Part 3C : Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

Check applicable sub-section(s)

- ☒ 3C(1) – Required where property owner is an Individual
- ☐ 3C(2) – Required where property owner is a Limited Liability Company (LLC)
- ☐ 3C(3) – Required where property owner is General Partnership (GP),
Limited Partnership (LP) or Limited Liability Partnership (LLP)
- ☐ 3C(4) – Required where property owner is a Corporation

(Attach additional sheets if necessary)

Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants.
(Notary not required)

Property Owner Printed Name Thomas Gerald Cloer Sr.

Property Owner Signature 

Date

11/28/16

Property Owner Printed Name Joel Daughtridge

Property Owner Signature _____

Date _____

Property Owner Printed Name Roxan Daughtridge

Property Owner Signature _____

Date _____

Property Owner Printed Name Claudia Smith Horton

Property Owner Signature _____

Date _____

Property Owner Printed Name Hoil Joseph Horton

Property Owner Signature _____

Date _____

Property Owner Printed Name Barry R Knapp

Property Owner Signature _____

Date _____

Property Owner Printed Name Kimberly Knapp

Property Owner Signature _____

Date _____

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Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants.
(Notary not required)

Property Owner Printed Name Thomas Gerald Cloer Sr.

Property Owner Signature _____ Date _____

Property Owner Printed Name Joel Daughtridge

Property Owner Signature Joel Daughtridge Date 11-30-16

Property Owner Printed Name Roxan Daughtridge

Property Owner Signature Roxan Daughtridge Date 11-30-16

Property Owner Printed Name Claudia Smith Horton

Property Owner Signature _____ Date _____

Property Owner Printed Name Hoil Joseph Horton

Property Owner Signature _____ Date _____

Property Owner Printed Name Barry R Knapp

Property Owner Signature _____ Date _____

Property Owner Printed Name Kimberly Knapp

Property Owner Signature _____ Date _____

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Property Owner Printed Name Thomas Gerald Cloer Sr.

Property Owner Signature _____ Date _____

Property Owner Printed Name Joel Daughtridge

Property Owner Signature _____ Date _____

Property Owner Printed Name Roxan Daughtridge

Property Owner Signature _____ Date _____

Property Owner Printed Name Claudia Smith Horton

Property Owner Signature Claudia Smith Horton Date 11-18-16

Property Owner Printed Name Heil Joseph Horton

Property Owner Signature Heil Joseph Horton Date 11-18-17/16 ^{ed}

Property Owner Printed Name Barry R Knapp

Property Owner Signature _____ Date _____

Property Owner Printed Name Kimberly Knapp

Property Owner Signature _____ Date _____

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(Attach additional sheets if necessary)

Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants.
(Notary not required)

Property Owner Printed Name Narendra Reddy Meka

Property Owner Signature _____ Date _____

Property Owner Printed Name Johnny Michael Sanders

Property Owner Signature _____ Date _____

Property Owner Printed Name Carol Ann Sanders

Property Owner Signature _____ Date _____

Property Owner Printed Name Wilton A Williams Jr.

Property Owner Signature _____ Date _____

Property Owner Printed Name Rufus Hatley

Property Owner Signature Rufus Hatley Date 12-3-16

Property Owner Printed Name Edward Hatley

Property Owner Signature Edward Hatley Date 12-3-16

Property Owner Printed Name Prince Hatley

Property Owner Signature Prince Hatley Date 12-3-16

Part 3C : Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

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- ☐ 3C(3) – Required where property owner is General Partnership (GP),
Limited Partnership (LP) or Limited Liability Partnership (LLP)
- ☐ 3C(4) – Required where property owner is a Corporation

(Attach additional sheets if necessary)

Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants.
(Notary not required)

Property Owner Printed Name Leanna Roberson

Property Owner Signature Leanna Roberson Date 12/02/2016

Property Owner Printed Name Reba Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Edna Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Nina Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Flora Wadelington

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

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(Notary not required)

Property Owner Printed Name Leanna Roberson

Property Owner Signature _____ Date _____

Property Owner Printed Name Reba Hatley

Property Owner Signature Reba Hatley Date 12-3-16

Property Owner Printed Name Edna Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Nina Hatley

Property Owner Signature Nina Hatley Date 12/3/2016

Property Owner Printed Name Flora Wadelington

Property Owner Signature Flora Wadelington Date 3 December 2016

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Part 3C : Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

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Limited Partnership (LP) or Limited Liability Partnership (LLP)
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(Attach additional sheets if necessary)

Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants.
(Notary not required)

Property Owner Printed Name Leanna Roberson

Property Owner Signature _____ Date _____

Property Owner Printed Name Reba Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Edna Hatley

Property Owner Signature  Date 12/15/2016

Property Owner Printed Name Nina Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Flora Wadelington

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

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(Notary not required)

Property Owner Printed Name Thomas Gerald Cloer Sr.

Property Owner Signature _____ Date _____

Property Owner Printed Name Joel Daughtridge

Property Owner Signature _____ Date _____

Property Owner Printed Name Roxan Daughtridge

Property Owner Signature _____ Date _____

Property Owner Printed Name Claudia Smith Horton

Property Owner Signature _____ Date _____

Property Owner Printed Name Holl Joseph Horton

Property Owner Signature _____ Date _____

Property Owner Printed Name Barry R Knapp

Property Owner Signature Barry Richard Knapp, Jr dotloop verified
11/18/16 5:34PM EST
F4RG-K88G-GWMB-CX6D

Property Owner Printed Name Kimberly Knapp

Property Owner Signature Kimberly Knapp dotloop verified
11/18/16 5:09PM EST
J6LW-85BI-VNCT-OVZO

Part 3C : Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

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(Notary not required)

Property Owner Printed Name Barry R Knapp

Property Owner Signature _____ Date _____

Property Owner Printed Name Narendra Reddy Meka

Property Owner Signature  Date 12/5/2016

Property Owner Printed Name Johnny Michael Sanders

Property Owner Signature _____ Date _____

Property Owner Printed Name Carol Ann Sanders

Property Owner Signature _____ Date _____

Property Owner Printed Name Wilton A Williams Jr.

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

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Property Owner Printed Name Barry R Knapp

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Property Owner Printed Name Narendra Reddy Meka

Property Owner Signature _____ Date _____

Property Owner Printed Name Johnny Michael Sanders

Property Owner Signature Johnny Michael Sanders Date 11/18/16

Property Owner Printed Name Carol Ann Sanders

Property Owner Signature Carol Ann Sanders Date 11/18/16

Property Owner Printed Name Wilton A Williams Jr.

Property Owner Signature _____ Date _____

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(Notary not required)

Property Owner Printed Name Narendra Reddy Meka

Property Owner Signature _____ Date _____

Property Owner Printed Name Johnny Michael Sanders

Property Owner Signature _____ Date _____

Property Owner Printed Name Carol Ann Sanders

Property Owner Signature _____ Date _____

Property Owner Printed Name Wilton A Williams Jr.

Property Owner Signature Wilton A Williams, Jr.

dotloop verified
11/28/16 2:54PM EST
7Y12-LQV6-Q70E-9XJ1

Property Owner Printed Name Rufus Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Edward Hatley

Property Owner Signature _____ Date _____

Property Owner Printed Name Prince Hatley

Property Owner Signature _____ Date _____

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Thomas Gerald Cloer Sr., the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-37-4182

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: (check all that apply)

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

[Signature]
Owners' Signature

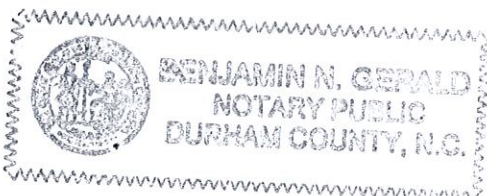
Owners' Signature

11/28/16
Date

Durham COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 28th day of November, 2016

(Official Seal)



[Signature]
Signature of Notary Public

My Commission Expires: 4-21-2017

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

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- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Joel & Roxan Daughtridge, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-37-0751

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

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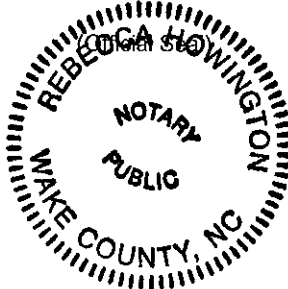
Joel Daughtridge
Owners' Signature

Roxan Daughtridge
Owners' Signature

11-30-16
Date

Wake COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 30th day of November, 2016



Rebecca Howington
Signature of Notary Public

My Commission Expires: 7/16/2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

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- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.

OR

- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Claudia Smith & Hoil Joseph Horton, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-28-7150

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Claudia Smith Horton
Owners' Signature

Hoil Joseph Horton
Owners' Signature

11-18-16
Date

Wake COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 18 day of November, 2016

(Official Seal)

[Signature]
Signature of Notary Public

My Commission Expires:

DAVID R. GODFREY
Notary Public
Wake County, NC
My Commission Expires 9/19/2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.

OR

- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Reba Hatley, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

K
Owners' Signature

Owners' Signature

12-3-16
Date

WAKE COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 3 day of

DECEMBER 2016

(Official Seal)



Margaret Sophie
Signature of Notary Public

My Commission Expires: 5-17-2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.

OR

☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Flora Wadelington, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

☒ Change the zoning district(s) from R-40W to R-12-CU

☐ Amend zoning conditions applicable to an existing conditional use district

☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District

☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Flora Wadelington
Owners' Signature

Owners' Signature

3 December 2016
Date

WAKE COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 3 day of DECEMBER, 2016



Margaret Sophie
Signature of Notary Public

My Commission Expires: 5-17-2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Nina Hatley, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Nina Hatley
Owners' Signature

Owners' Signature

12/3/2016
Date

~~WAKE~~ COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 3 day of DECEMBER, 2016

(Official Seal)



Margaret Sophie
Signature of Notary Public

My Commission Expires: 5-17-2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Edna Hatley, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Edna Hatley
Owners' Signature

Owners' Signature

12/15/2016
Date

QUEENS COUNTY, ~~NORTH CAROLINA~~ NEW YORK

SWORN TO AND SUBSCRIBED before me this 15th day of December, 20 16

(Official Seal)

Garry Voskresensky
Signature of Notary Public

GARRY VOSKRESENSKY
NOTARY PUBLIC-STATE OF NEW YORK
No. 02VO6293879
Qualified In Queens County
My Commission Expires December 16, 2017

My Commission Expires:

12-16-2017

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Leanna Roberson, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Leanna Roberson

Owners' Signature

New York

Owners' Signature

12/02/2016

Date

Kings COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 2nd day of December, 2016

(Official Seal)

Signature of Notary Public

My Commission Expires: 12/31/18

ROBERT FILIPPI
Notary Public, State of New York
No. 01FI4626060
Qualified in Queens County
Commission Expires 12/31/18

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Prince Hatley, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Prince Hatley Owners' Signature 12-3-16 Date

WAKE COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 3 day of DECEMBER, 2016

(Official Seal)

Margaret Sophie
Signature of Notary Public

My Commission Expires: 5-17-2020



Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Rufus Hatley, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Rufus Hatley
Owners' Signature

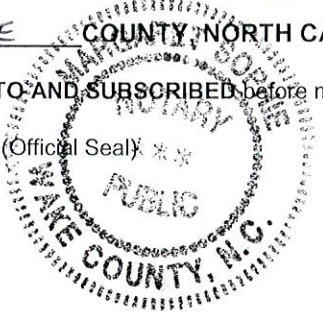
Owners' Signature

12-3-16
Date

WAKE COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 3 day of DECEMBER, 2016

(Official Seal)



Margaret Sophie
Signature of Notary Public

My Commission Expires: 5-17-2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Edward Hatley, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-26-9900 & 0723-26-7873

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Edward Hatley
Owners' Signature

Owners' Signature

12.3.16
Date

WAKE COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 3 day of DECEMBER, 2016



Margaret Sophie
Signature of Notary Public

My Commission Expires: 5-17-2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Barry R & Kimberly Knapp, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-37-0201 & 0723-37-5430

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

K Knapp
Owners' Signature

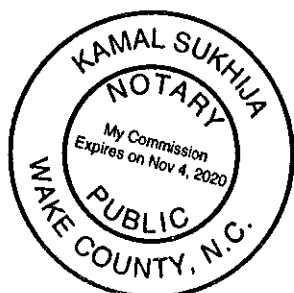
[Signature]
Owners' Signature

11/19/16
Date

Wake COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 19th day of Nov, 2016

(Official Seal)



Kamal Sukhija

Signature of Notary Public

My Commission Expires: 11/04/2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Narendra Reddy Meka, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-37-7141

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Narendra Reddy Meka
Owners' Signature

Owners' Signature

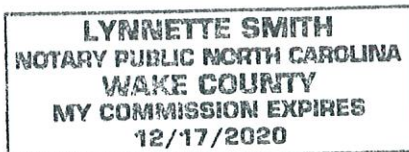
12/5/2016
Date

WAKE COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 5th day of Dec, 2016

(Official Seal)

Lynnette Smith
Signature of Notary Public



My Commission Expires: 12/17/2020

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Johnny Michael & Carol Ann Sanders, the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-37-0979

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: (check all that apply)

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc. is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Johnny Michael Sanders
Owners' Signature

Carol Ann Sanders
Owners' Signature

11/18/16
Date

Wake COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 18th day of November, 2016

(Official Seal)

HOLLIS A. KOHL
Notary Public
Durham County, NC

Norris L. Kohl
Signature of Notary Public

My Commission Expires: June 18, 2019

Part 3D: Authorized Agent Authorization (must be notarized, and signed by property owner(s) identified in Part 3C. Attach additional sheets if necessary)

Required if the owner(s) of property proposed to be rezoned to a Conditional Use, Planned Development, or Mixed Use Zoning District wish to authorize another individual or entity to represent them through the public hearing process, and make binding statements and commitments regarding the request.

One of the following must be included as an attachment to this application:

- ☐ Power of Attorney stating that the agent is authorized to represent and bind the property on behalf of the property owner.
- OR**
- ☒ If the agent is the contract purchaser of the property, a redacted copy of a fully executed sales contract containing a clause or clauses allowing an application to be filed.

I/We, Wilton A William Jr., the fee simple owner(s) of the following described property:
Property Owner Name(s)

0723-37-7765

PIN, Real ID Number or Legal Description

hereby petition the Town of Cary to amend the Zoning Map to: *(check all that apply)*

- ☒ Change the zoning district(s) from R-40W to R-12-CU
- ☐ Amend zoning conditions applicable to an existing conditional use district
- ☐ Amend the PDD document and/or Master Plan for the _____ Planned Development District
- ☐ Amend the Preliminary Development Plan for the _____ Mixed Use District

and affirm that Terramor Homes, Inc is hereby designated to act as my/our agent
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

Wilton A. William Jr.
Owners' Signature

Owners' Signature

11/20/16
Date

Wake COUNTY, NORTH CAROLINA

SWORN TO AND SUBSCRIBED before me this 29 day of November, 2016



Bethany L. Tyree
Signature of Notary Public

My Commission Expires: 9/20/2021

Part 3E: Affidavit Signed by Property Owner or Authorized Agent

Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District. Must be notarized

Check applicable sub-section(s)

- ☐ **3E(1a)** – Required where the property owner maintains sole authority to make binding statements and commitments regarding the request, and the property owner is one or more individuals.

and/or

- ☐ **3E(1b)** – Required where the property owner maintains sole authority to make binding statements and commitments regarding the request, and the property owner is a corporate or similar entity.

OR

- ☒ **3E(2)** – Required where the property owner has authorized another individual or entity to represent him/her through the public hearing process and make binding statements and commitments regarding the request. *(Selection of this option requires submittal of Power of Attorney or redacted sales contract per Part 3D above)*

NOTE:

Each time proposed zoning conditions are revised after the initial submittal, a new affidavit must be provided to the case planner.

Part E(2) Affidavit of Authorized Agent

STATE OF NORTH CAROLINA
COUNTY OF WAKE

AFFIDAVIT OF
TERRAMOR HOMES, INC.
(Agent)

I, Pablo Reiter, being first duly sworn, hereby depose and say:

1. I am over eighteen years of age and competent to make this Affidavit. All statements made herein are based upon my personal knowledge.

2. Terramor Homes, Inc. ("the Applicant") is/are the Authorized Agent of the owner(s) of certain real property located at 0, 4112, 4124, & 4136 Green Level West Rd; 0 & 1724 White Oak Church Rd; and 4218, 4129, and 4133 Maple Springs Dr, and identified as having the following Wake County Tax Identification Numbers: 0723-37-4182; 0723-37-0751; 0723-37-6873; 0723-26-7873; 0723-26-9900; 0723-37-0201; 0723-37-5430; 0723-37-7141; 0723-37-0979; & 0723-27-7765 ("the Property").

3. On or about 12/26/16 [insert date], the Applicant submitted to the Town of Cary an Application for a rezoning of the Property ("the Application").

4. Together with the Application, the Applicant submitted a fully executed power of attorney, or a fully executed sales contract, which remains in full force and effect, which grants me the authority to represent and bind the Applicant and execute this Affidavit.

5. I have discussed the following zoning conditions or provisions with the Applicant, and the Applicant has agreed to volunteer the following zoning conditions or provisions in support of the Rezoning:

- a. Residential density for new development on the property shall be no greater than 2.5 dwelling units per acre.

6. In addition to the zoning conditions or provisions listed above in paragraph 5, the Applicant, through counsel or otherwise, may offer or consent to at any hearing before the Town of Cary Planning and Zoning Board or Town Council certain additional conditions of approval (which additional conditions of approval, along with the zoning conditions or provisions listed in paragraph 5, are collectively referred to hereinafter as the "Conditions of Approval").

7. All Conditions of Approval that the Applicant offers in connection with the Rezoning are offered to address the conformance of the development and use of the site to Town ordinances and officially adopted comprehensive plan or other plan and to address the impacts reasonably expected to be generated by the development or use of the site.

8. I intend for the Town to rely on this Affidavit and in offering the Conditions of Approval, I hereby swear that:

- a. all zoning conditions and provisions are freely offered as proposed zoning laws, based solely on the property owner/applicant's independent judgment; and

- b. the property owner/applicant is not relying upon any statement by the Town staff or any member of the Town Council in connection with the decision to offer any zoning conditions or provisions; and
- c. the property owner/applicant understands that other parties that have standing in the rezoning proceeding are relying on the validity of the zoning conditions and provisions; and
- d. the property owner/applicant intends for all future owners of the property to be bound by the zoning conditions and provisions should the Town Council adopt them as part of the rezoning; and
- e. the property owner/applicant will take all appropriate measures to ensure that future property owners are aware of the zoning conditions and provisions.

Further the Affiant sayeth not.

This the 17 day of December, 2016




Terrarmor Homes, Inc.

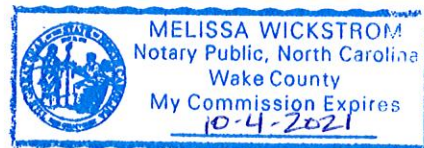
By: Pablo Reiter

Title: President

Sworn and subscribed before me this the 19th day of December, 2016.


Notary Public Melissa Wickstrom

My commission expires: 10-4-2021



Part 4A: Land Use Plan Amendment Request

Pre-Application Meeting: ☐ yes Date: _____ ☐ no

Applicable Area Plan (if Any)	<input type="checkbox"/> Town Center Area Plan <input type="checkbox"/> Southeast Area Plan <input checked="" type="checkbox"/> Southwest Area Plan <input type="checkbox"/> Northwest Area Plan <input type="checkbox"/> Other _____ <input type="checkbox"/> Chatham/Cary Joint Land Use Plan <input type="checkbox"/> Carpenter Community Plan <input type="checkbox"/> Alston Activity Center Concept Plan <input type="checkbox"/> None applicable to site
Area Plan Designation and Applicable Plan Notes	Area Plan Designation <u>VLCR</u> Applicable Plan Notes: <u>See Note 15</u> <input type="checkbox"/> Not Applicable
Activity Center Name and Type	Activity Center Name _____ <input type="checkbox"/> NAC <input type="checkbox"/> CAC <input type="checkbox"/> RAC <input checked="" type="checkbox"/> Not Applicable
Town-wide Comprehensive Plan Designation (Required only if Property is <u>not</u> in an Area Plan)	
Proposed Plan Designation	LDR

Part 4B: Applicant's Justification Statement for Land Use Plan Amendment

Section 3.2.2(B) of the Land Development Ordinance stated that proposals to amend the Comprehensive Plan shall be evaluated based upon whether the amendment are necessary in order to address conditions including, but not limited to, the following:

- (1) A change in projections or assumptions from those on which the Comprehensive Plan is based;

Applicant's Comments: The proposed Land Use Amendment matches guidance regarding future development in this area provided by the Town through the Imagine Cary process. Through that process, the Town is seeking to official change its vision for this area based on new projections or assumptions. The proposed Land Use Plan Amendment is consistent with the Town's new projections and assumptions for this area.

- (2) Identification of new issues, needs, or opportunities that are not adequately addressed in the Comprehensive Plan;

Applicant's Comments: The proposed Land Use Plan Amendment is sought in order to allow for a development consistent with the Town's Imagine Cary process. In its Cary Community Plan, the Town has recognized a need for low density residential development in this area. The proposed Land Use Plan Amendment is consistent with the Town's vision.

- (3) A change in the policies, objectives, principles, or standards governing the physical development of the Town or any other geographic areas addressed by the Comprehensive Plan; or

Applicant's Comments: The Imagine Cary process represents a change in policies, objectives, and principles guiding new development in the Town. The proposed Land Use Plan Amendment is consistent with the recommendations of the Imagine Cary Process.

- (4) Identification of errors or omissions in the Comprehensive Plan.

Applicant's Comments:

Applicant's Signature _____



Date _____

12-19-16